



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tomokazu YUASA et al.
Title: COMMUNICATION
APPARATUS WITH ANTENNA
Appl. No.: 10/698,553
Filing Date: 10/31/2003
Examiner: Leith A. Al Nazer
Art Unit: 2821

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

The Examiner in the corresponding Japanese application has stated:

Japanese Utility Model Application Publication 2-123192

This discloses everything of the claims (1-13) except for:

- a circuit substrate mounting an antenna element thereon is deformable,
- a combination of a first antenna mounted on a ear pad part and a second antenna mounted on a headband, and
- a wireless communication module is mounted on a ear pad part.

Japanese Patent Application Publication 11-8893

This discloses a headphone which has more than two antenna units. Each antenna unit includes an antenna mounted on a flexible substrate.

Japanese Patent Application Publication 11-8894

This discloses a headphone which has a first antenna mounted on an ear pad part and a second antenna mounted on a radio receiver.

Japanese Patent Application Publication 8-125614

With regard to Japanese Patent Application 8-125614, it is pointed out that Figures 2 and 4 are different embodiments. Figure 2 shows merely an ear bud 43 with the antenna and module located at the top of the headband. Figure 4 is a completely different embodiment in which there is no headband but merely an ear piece with the antenna and the electronic

module mounted thereon. Figure 4 is thus similar in this respect to previously cited JP 200-112383.

An English translation of the foreign-language documents is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

FEE

The Commissioner is hereby authorized to charge a fee in connection with submission of the information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00 in accordance with 37 CFR §1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date July 7, 2005

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: July 7, 2005 (use as many sheets as necessary)		Complete if Known <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Application Number</td> <td>10/698,553</td> </tr> <tr> <td>Filing Date</td> <td>10/31/2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Tomokazu YUASA</td> </tr> <tr> <td>Group Art Unit</td> <td>2821</td> </tr> <tr> <td>Examiner Name</td> <td>Leith A. Al Nazer</td> </tr> <tr> <td>Attorney Docket Number</td> <td>026304-0212</td> </tr> </table>		Application Number	10/698,553	Filing Date	10/31/2003	First Named Inventor	Tomokazu YUASA	Group Art Unit	2821	Examiner Name	Leith A. Al Nazer	Attorney Docket Number	026304-0212
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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1	JP	2-123192			10/9/1990		
	A2	JP	11-8893			1/12/1999		
	A3	JP	11-8894			1/12/1999		
	A4	JP	8-125614			5/17/1996		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.